March 15, 2003
1420 East 6th Ave.
P.O. Box 200701
Helena, MT 59620-0701

Environmental Quality Council
Montana Department of Environmental Quality
Montana Department of Fish, Wildlife and Parks
Fisheries Division
Endangered Species Coordinator
Great Falls Office
Montana State Library, Helena
MT Environmental Information Center
Montana Audubon Council
Pondera County Conservation District, 406 Main Street, Conrad, MT 59425-2540
U.S. Army Corp of Engineers, Helena
U.S. Fish and Wildlife Service, Helena
State Historic Preservation Office, Helena
John Hayne, P.O. Box 153, Dupuyer, MT 59432
Robert and Ali Newkirk, 609 N. Prospect Ave., Redondo Beach, CA 90277

Ladies and Gentlemen:

Please find enclosed an Environmental Assessment (EA) prepared for the Future Fisheries Improvement Program. The Program tentatively plans to provide funding for a stream bank stabilization project on approximately 500 feet of eroding stream bank within a 0.75 mile reach of Dupuyer Creek using bio-engineering techniques. This proposed project is located on property owned by Robert and Ali Newkirk just west of the town of Dupuyer in Pondera County.

Please submit any comments that you have by 5:00 P.M., April 16, 2003 to the Department of Fish, Wildlife and Parks in Helena at the address listed above. Completion of this project is contingent upon approval being granted by the Fish, Wildlife and Parks Commission. If you have any questions, feel free to contact me at (406) 444-2432. Please note that this draft EA will be considered as final if no substantive comments are received by the deadline listed above.

Sincerely,

Mark Lere, Program Officer
Habitat Protection Bureau
Fisheries Division
e-mail: mlere@state.mt.us

ENVIRONMENTAL ASSESSMENT
Fisheries Division
Montana Fish, Wildlife and Parks
Dupuyer Creek Bank Stabilization Project

General Purpose: The 1995 Montana Legislature enacted statute 87-1-272 through 273 that directs the Department to administer a Future Fisheries Improvement Program. The program involves physical projects to restore degraded fish habitat in rivers and lakes for the purpose of improving wild fisheries. The legislature established an earmarked funding account to help accomplish this goal. The Future Fisheries Improvement Program is proposing to provide funding for a project calling for the stabilization of approximately 500 feet of eroding stream bank within a 0.75 mile reach of Dupuyer Creek using bio-engineering techniques. The project site is located on property owned by Robert and Ali Newkirk just west of the town of Dupuyer in Pondera County (Attachment 1).

I. Location of Project: This project will be conducted on Dupuyer Creek located just west of the town of Dupuyer within Township 28 North, Range 7 West, Section 9 in Pondera County.

II. Need for the Project: One goal within Montana Fish, Wildlife and Parks six year operations plan for the fisheries program is to "restore and enhance degraded habitats" by implementing habitat restoration projects and administering the Future Fisheries Improvement Program to restore important habitats on public and private lands. This proposed project would help met this goal. A 0.75-mile reach of Dupuyer Creek has become degraded as a result of long-term overgrazing by livestock. Presently, this stream is entrenched and is characterized by a series of vertical eroding stream banks and sparse woody shrubs within the riparian corridor. Several car bodies are located within the channel as a result of unsuccessful efforts to stabilize the channel in the past. The new landowners are interested in restoring this degraded reach of stream and are willing to adopt progressive land management techniques to help ensure the success of restoration efforts.

III. Scope of the Project:

The project proposes to stabilize approximately 400 to 600 feet of eroding bank within a 0.75-mile reach of Dupuyer Creek using bioengineering techniques. The proposal calls for removing the old car bodies from the channel and hauling them to a proper disposal site. Eroding vertical banks will be back-sloped to a more stable angle of repose and stabilized with salvaged sod, erosion control fabric and willow plantings. All areas disturbed during construction will be seeded with native grasses. The riparian corridor will be fenced for a minimum of 75 to 100 feet off of the stream channel to control livestock grazing and protect the integrity of the restoration project. This project is expected to cost $12,990.00. Of this total, the Future Fisheries Improvement Program would be contributing up to $10,990.00.

IV. Environmental Impact Checklist:

Please see attached checklist.

V. Explanation of Impacts to the Physical Environment

1. Terrestrial and aquatic life and habitats.

Stabilizing 400 to 600 feet of eroding stream bank is expected to locally reduce sediment input into the stream and may create some holding water for adult fish. Habitat for riparian dependent wildlife also would be improved by enhancing the vegetation within the riparian corridor and by installing riparian fencing to control livestock grazing.

2. Water quantity, quality and distribution.

Short-term increases in turbidity will occur during project construction. To minimize turbidity, construction will occur during a low flow period and operation of equipment in the stream channel will be minimized to the extent practicable. The Department of Environmental Quality will be contacted to determine narrative conditions required to meet short-term water quality standards and protect aquatic biota. A 310 permit (Natural Streambed and Land Preservation Act) will be obtained from the local conservation district and the U.S. Army Corp of Engineers will be contacted to determine the requirements needed to meet the federal Clean Water Act. In the long term, stabilizing eroding stream banks within this reach of Dupuyer Creek would reduce sediment contributions to downstream areas, thereby improving the overall quality of downstream waters.

3. Geology and soil quality, stability and moisture.

Soils along the stream margin would be disturbed during channel construction, but would quickly stabilize following proposed re-vegetation efforts. Overall, the project is expected to reduce bank erosion by stabilizing a series of eroding cut-banks using bioengineering techniques.

4. Vegetation cover, quantity and quality.

Riparian vegetation and cover would be disturbed during the period of construction. However, proposed re-vegetation efforts would act to mitigate these disturbances. The installation of riparian fencing would protect the vegetative community from overgrazing by livestock and encourage the recovery of woody shrubs along the stream margin.

5. Aesthetics.

Aesthetics would be negatively impacted during project construction due to ground disturbance and the presence of heavy equipment. In the long term, aesthetics would be enhanced by stabilizing a series of eroding cut-banks on Dupuyer Creek and by controlling livestock use within the riparian corridor.

9. Historic and archaeological sites

The proposed project may require an individual Army Corp of Engineers 404 permit. Therefore, the State Historic Preservation Office has been contacted to determine the need for compliance with the federal historic preservation regulations. The project will not begin until a cultural clearance is granted.

VI. Explanation of Impacts on the Human Environment.

4. Agricultural or industrial production.

Fencing the riparian corridor to protect the vegetative community is expected to exclude approximately 13 acres of pasture from livestock grazing.

7. Access to & quality of recreational activities.

Stabilizing 400 to 600 feet of eroding stream bank is expected to improve overall aquatic habitat within this 0.75 mile reach of Dupuyer Creek and, consequently, would be expected to attract fish and improve fishing opportunities in a localized area.

VII. Discussion and Evaluation of Reasonable Alternatives.

1. No Action Alternative

If no action is taken, this reach of Dupuyer Creek will continue to be relatively unstable, sloughing banks will continue to add sediment into the stream and habitat for riparian dependent wildlife will remain in a degraded condition.

2. Bank stabilization using blanket rock rip-rap

Rock rip-rap would provide greater resistance to the existing shear stresses. However, blanket rip-rap would both eliminate riparian vegetation on this section of stream and diminish the over-all natural function of the stream channel.

3. Re-construct the entrenched channel in a manner that would re-activate a functional floodplain

This alternative would resolve the entrenched nature of the stream channel and likely would provide for a greater chance of successfully stabilizing the stream channel. However, the cost associated with this alternative would be more than ten times the cost associated with the proposed alternative. Funding is not available to meet this expected cost.

4. The Proposed Alternative

The proposed alternative is designed to stabilize 400 to 600 feet of eroding stream bank on Dupuyer Creek by using bioengineering techniques. While stabilization of this relatively short reach of stream likely will have little impact on overall fish populations, enhancement efforts are expected to attract fish and reduce sediment input in a localized area. A secondary benefit of this alternative is the demonstration value of using softer techniques in bank stabilization. Controlling livestock grazing within the riparian corridor with fencing is expected to encourage the recovery of woody shrubs along the stream margin and, over the long term, stabilize the active channel.

VIII. Environmental Assessment Conclusion Section

1. Is an EIS required? No.

   We conclude from this review that the proposed activities will have a positive impact on the physical and human environment.

2. Level of public involvement.

   The proposed project was reviewed and supported by the public review panel of the Future Fisheries Improvement Program. The proposed project also will be reviewed by the Fish, Wildlife and Parks Commission and will be contingent upon their approval. The Environmental Assessment (EA) is being distributed to all individuals and groups listed on the cover letter. The EA also will be published on Montana Fish, Wildlife and Parks webpage: fwp.state.mt.us.

3. Duration of comment period?

   Public comment will be accepted through 5:00 PM on April 16, 2003.

4. Person responsible for preparing the EA.

   Mark Lere, Program Officer
   Habitat Protection Bureau
   Fisheries Division
   Montana Department of Fish, Wildlife and Parks
   1420 East 6th Avenue
   Helena, MT 59620

   Telephone: (406) 444-2432
   Email: mlere@state.mt.us

MONTANA DEPARTMENT OF FISH, WILDLIFE AND PARKS
1420 E 6th Ave, PO BOX 200701, Helena, MT 59620-0701
(406) 444-2535

ENVIRONMENTAL ASSESSMENT

Project Title Dupuyer Creek Bank Stabilization Project

Division/Bureau Fisheries Division -Future Fisheries Improvement

Description of Project The Future Fisheries Improvement Program is proposing to provide funding for a project calling for the stabilization of approximately 500 feet of vertical eroding cut-banks with a 0.75-mile reach of Dupuyer Creek using bioengineering techniques. The project site is located on property owned by Robert and Ali Newkirk just west of the town of Dupuyer in Pondera County.

POTENTIAL IMPACT ON PHYSICAL ENVIRONMENT

	MAJOR	MODERATE	MINOR	NONE	UNKNOWN	COMMENTS ON ATTACHED PAGES
1. Terrestrial & aquatic life and habitats			X			X
2. Water quality, quantity & distribution			X			X
3. Geology & soil quality, stability & moisture			X			X
4. Vegetation cover, quantity & quality			X			X
5. Aesthetics			X			X
6. Air quality				X		
7. Unique, endangered, fragile, or limited environmental resources				X		
8. Demands on environmental resources of land, water, air & energy				X		
9. Historical & archaeological sites				X		X

POTENTIAL IMPACTS ON THE HUMAN ENVIRONMENT

	MAJOR	MODERATE	MINOR	NONE	UNKNOWN	COMMENTS ON ATTACHED PAGES
1. Social structures & mores				X		
2. Cultural uniqueness & diversity				X		
3. Local & state tax base & tax revenue				X		
4. Agricultural or industrial production			X			X
5. Human health				X		
6. Quantity & distribution of community & personal income				X		
7. Access to & quality of recreational and wilderness activities			X			X
8. Quantity & distribution of employment				X		
9. Distribution & density of population & housing				X		
10. Demands for government services				X		
11. Industrial & commercial activity				X		
12. Demands for energy				X		
13. Locally adopted environmental plans & goals				X		
14. Transportation networks & traffic flows				X		

Other groups or agencies contacted or which may have overlapping jurisdiction Pondera County Conservation District, US Fish and Wildlife Service, US Army Corp of Engineers, Montana Department of Environmental Quality, State Historic Preservation Office

Individuals or groups contributing to this EA Dave Yerk, Montana Fish, Wildlife and Parks

Recommendation concerning preparation of EIS No EIS required.
EA prepared by: Mark Lere
Date: March 3, 2003